

### REMARKS

Claims 21-51 are pending. Applicants cancelled claims 8-20 without prejudice or disclaimer to pursuing the cancelled subject matter in the future. Claim 51 is a new claim encompassing the subject matter of cancelled claims 15 and 20. Upon allowance, applicants request that the examiner place new claim 51 between claims 36 and 37 so that it flows logically with the order of the claims. No new matter has been added into the claims.

### Information Disclosure Statement

The Office Action notes that foreign patent documents cited in the Information Disclosure Statement of June 6, 2007 were not submitted to the U.S. Patent and Trademark Office. The failure to include copies of these references was an inadvertent oversight. A Supplemental Information Disclosure Statement including copies of the foreign patent documents not previously submitted is being filed together with this response. Applicants request consideration of the documents and return of the signed PTO Form 1449.

### Response to 35 U.S.C. § 102(b) Rejection

Claims 8-14 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Friedman, U.S. Patent No. 3,186,869. Applicants have cancelled claims 8-14 without prejudice or disclaimer to pursuing the cancelled subject matter in the future. Accordingly, the rejection no longer applies and should be withdrawn.

### Response to 35 U.S.C. § 102(e) Rejections

Claims 8-15 and 19 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Duffield *et al.*, U.S. Patent Application No. 2005/0263428 and Duffield *et al.*, U.S. Patent Application No. 2008/0073239. Applicants have cancelled claims 8-15 and 19 without prejudice or disclaimer to pursuing the cancelled subject matter in the future. Accordingly, the rejection no longer applies and should be withdrawn.

**Response to 35 U.S.C. § 103(a) Rejections**

Claims 15-17 and 19 have been rejected under 35 U.S.C. § 103(c) as being obvious over Lew, U.S. Patent No. 3,202,277 in view of Duffield *et al.*, U.S. Patent Application No. 2008/0073239. Applicants have cancelled claims 15-17 and 19 without prejudice or disclaimer to pursuing the cancelled subject matter in the future. Accordingly, the rejection no longer applies and should be withdrawn.

Claims 18 has been rejected under 35 U.S. 35 U.S.C. § 103(c) as being obvious over Lew, U.S. Patent No. 3,202,277 in view of Duffield *et al.*, U.S. Patent Application No. 2008/0073239, and further in view of Haq, U.S. Patent No. 4,416,791. Applicants have cancelled claim 18 without prejudice or disclaimer to pursuing the cancelled subject matter. Accordingly, the rejection no longer applies and should be withdrawn.

**Response to 35 U.S.C. § 112, Second Paragraph Rejection**

Claims 20-50 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the rejection concludes that ranges having a lower limit of zero are unclear. Applicants have cancelled claim 20 without prejudice or disclaimer to pursuing the cancelled subject matter in the future and therefore the rejection no longer applies to this claim. With respect to claims 21-50 and new claim 51, the rejection should be withdrawn because the claims are clear as written and a person of ordinary skill in the art can easily interpret the metes and bounds of the claims.

Certain components of the claims have a bottom limit of zero. According to its plain language definition, this means that these components are optional. For example, in claim 21, the “starch” component of part b) has a bottom limit of zero. Therefore, the water soluble packaging of claim 21 may have no “starch” as component b) or may have up to 80% “starch” as component b). “If the scope of the subject matter embraced by the claims is clear, and if applicants have not otherwise indicated that they intend the invention to be of a scope different

from that defined in the claims, then the claims comply with 35 U.S.C. § 112, second paragraph.” M.P.E.P. § 2173.04. Thus, the claims are clear as written and the rejection should be withdrawn.

#### **Allowable Subject Matter**

The Office Action indicates that claims 21-50 would be allowable if the 35 U.S.C. § 112 rejection, described above, were overcome. In view of the remarks above, applicants believe the rejection is overcome and the application should be allowed to issue as a patent.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees to Deposit Account No. 22-0185.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 21444-00011-US1 from which the undersigned is authorized to draw.

Dated: February 6, 2009

Respectfully submitted,

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